

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 9, 2003 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: -Annexation #03004 - To annex approximately 13.3. acres.
 -Change of Zone #3387 - From AGR to R-3
 -Special Permit #1992 - For a Community Unit Plan (CUP) for attached and detached single-family residences.
 -Preliminary Plat #02023 Edenton Woods - Creates 46 lots for residential development, and five outlots.

PROPOSAL: To develop an approximately 13 acre parcel to accommodate 46 lots for single-family and attached single-family residential units.

LOCATION: Northeast of the intersection of Ashbrook Drive and Highway 2 (adjacent to the west of Pine Lake S.I.D.)

WAIVER REQUESTS:

1. Minimum Lot Area.
2. Turn-arounds for private roadways.
3. Lot lines not radial to roadways.
4. Double-frontage lots.
5. Intersection approach grades.
6. Sidewalks.
7. Block length.

LAND AREA: Approximately 13.3 acres.

CONCLUSION: With modifications, these requests comply with the Zoning and Land Subdivision Ordinances, and the Comprehensive Plan.

RECOMMENDATION:

Annexation #03004	Conditional Approval
Change of Zone #3387	Approval
Special Permit #1992	Conditional Approval
Waiver:	
Minimum Lot Area	Approval

Preliminary Plat #02023		Conditional Approval
Waivers:		
Turn-arounds for private roadways		Denial
Lot lines not radial to roadways		Approval
Double-frontage lots		Approval
Intersection approach grades		Approval
Sidewalks		Approval
Block length		Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-1, P
South:	Undeveloped	AGR
East:	Residential	AGR
West:	Church	AGR

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - This site is designated for urban residential land uses in the Land Use Plan.

Page F27 - Urban Growth Tiers - This site is within the City's Future Service Limit.

Page F156 - Subarea Planning - Southeast Lincoln/Highway 2 Subarea Plan.

Southeast Lincoln/Highway 2 Subarea Plan:

Figure 2 - Designates urban residential uses for this site.

Page 9 - Retention of low density residential character; Changes from low density to urban residential. Encourages the type of development being proposed with these applications.

UTILITIES: All utilities are available to the site. The trunk sewer line constructed to serve this development is also being extended to connect the Pine Lake S.I.D. and provide that development with sanitary sewer service.

HISTORY:

May 30, 2003, the preliminary plat was re-submitted in response to the Director's Letter.

November 13, 2002, the Director's Letter review was sent to the applicant.

October 15, 2002, the preliminary plat was originally submitted.

March 26, 2001, the Southeast Lincoln/Highway 2 Subarea Plan was approved by City Council.

TRAFFIC ANALYSIS: The Subarea Plan shows Ashbrook Drive extended to Highway 2. A portion of the extension will be constructed with this plat, and the City is facilitating the design of the remainder of the extension to provide the connection to Highway 2. A street connection to Pine Lake S.I.D. via Northshore Drive is also shown. Ashbrook Drive and Northshore Drive within the boundary of this plat are public streets; Bo Creek Bay and Bo Creek Court are shown as private roadways.

ENVIRONMENTAL CONCERNS: This development is downstream of the Pine Lake dam structure. A dam breach analysis was required to be completed to ensure this development was not creating lots that may be threatened by failure of the dam. Also, preservation of the existing trees and the drainage channel through the site was a concern.

ANALYSIS:

1. This area is contiguous to the city and the proposed annexation is in conformance with the Comprehensive Plan. It is within the Future Service Limit, and the developer's financial responsibility regarding off-site infrastructure improvements will be addressed in the annexation agreement.
2. The special permit for a community unit plan is consistent with the subarea plan that designates urban residential uses for this site, shows the street connection to Northshore Drive, and provides for the eventual extension of Ashbrook Drive to Highway 2.
3. The waiver to minimum lot area will allow for some of the lots to be smaller than the 5,000 square foot minimum required in the R-3 district when associated with a CUP. Generally, these lots will be used for attached single-family residences. The remaining lots are for detached residences, and the majority of them exceed 6,000 square feet in area. Providing a mix of housing types is encouraged, and this waiver will facilitate

that and should be granted. The average lot area including open space exceeds the minimum lot area of the R-3 district.

4. A waiver to turn-arounds was requested, and pertains to Bo Creek Bay and Bo Creek Court. However, the Design Standards do not include a specific requirement that turn-arounds be provided for private roadways so a waiver is not required. But recognizing the need for all vehicles including emergency responders to be able to turn around at the end of a street without either backing-up or pulling into a driveway, a minimum 30' radius turn-around is recommended. The plat shows hammerhead turn-arounds at the ends of both streets, but should be revised to show 30' radius cul-de-sacs.
5. A waiver to lot lines not radial to streets is requested to facilitate the construction of attached residences. This affects only Lots 15 and 16, Block 1 and is appropriate.
6. The proposed layout preserves the existing drainage through the site and backs homes onto it. This means the street serving Lots 11-16, Block 2 is placed on the east side of the lots. The result is that the adjacent lots in Pine Lake S.I.D. become double-frontage lots. Given the choice of having the street along the drainage or as shown, the proposed location is more appropriate. However, as the back yard of the existing residences in Pine Lake S.I.D. will abut this street, it's appropriate that it be screened to mitigate the impact of automobile traffic. The position of the private roadway would allow the abutting lots in Pine Lake to subdivide and use the private roadway as access to the new lots.
7. The connection to Northshore Drive is shown, and extends to Ashbrook Drive. Constructing this connection means utilizing existing grades that are established within Pine Lake, and they do not allow for compliance with current Design Standards without significant fill on lots within the S.I.D. A waiver to Design Standards has been requested, and Public Works is recommending approval.
8. A waiver to block length is requested, and applies to Block 1. The property adjacent to the west is owned by the Berean Church, and staff has been informed by the Church that there are future plans to expand the church. This expansion will be accompanied by an expanded parking lot that will eventually extend up to the west boundary of this plat. The likelihood of any future street extending across the Church property is remote, so the need to provide a street connection to the west through this development is eliminated. Likewise for a pedestrian connection through Block 1 to the Berean Church property, as there is no need to provide a pedestrian connection to a private parking lot. As a result, waivers to both block length and pedestrian connection are appropriate.

9. A request to waive the sidewalk along the east side of the private roadway adjacent to Pine Lake S.I.D. is also requested - a sidewalk along the west side is being provided. If the adjacent lots in the S.I.D. were to be subdivided, the sidewalk should be provided. However, given the location of the residences on the lots in Pine Lake, it is unlikely those lots can be subdivided and homes would face upon the private roadways. Additionally, there are not sidewalks within Pine Lake S.I.D., so there will be no sidewalk connection east of the intersection of Northshore Drive and the private roadway at this time. However, in the event sidewalks are constructed in the future, the sidewalks shown along Northshore Drive within this plat must be extended to the east boundary of the plat.
10. This development is located adjacent to Pine Lake S.I.D., and west of the Pine Lake dam structure. It is important that this development take into account the existence of the dam, and be designed to account for a failure of that structure. As a result, the developer was required to perform a breach analysis to simulate a dam failure to ensure that this development would not be creating lots that are potentially in harms way, and that it would not intensify flooding downstream during such an event.

During the review of this project, several issues relating to drainage and the breach analysis were raised that must be addressed. The attached reviews from Public Works and Utilities and Watershed Management note these deficiencies. These items must be addressed to the satisfaction of Public Works and Utilities prior to these applications being forwarded to the City Council. This will include the plat being revised to show the dam spillway, no portion of any lot within the 100-year floodplain, and the minimum opening elevations for all lots adjacent to any drainage area. The lot layout may need to be further revised depending upon how the noted deficiencies are addressed.

CONDITIONS:

Annexation #03004

1. The developer will enter into an annexation agreement with the City.

Special Permit #1992

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 A 6' tall fence screen along the east boundary of the CUP for the extent of the private roadways.
 - 1.1.2 Indicate the width of the access easement where the private roadways and sidewalk are located.
- 1.2 A revised landscape plan that includes a note stating "OUTLOTS A, B, AND C TO BE MAINTAINED BY THE DEVELOPER OR FUTURE HOMEOWNERS ASSOCIATION."
2. This approval permits 46 single-family and attached single-family units with a waiver to minimum lot area.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible **final** plan including 5 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.
4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Preliminary Plat #02023

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 That area subject to inundation in the event of a dam breach based upon the breach study.
 - 1.1.2 The 100-year storm for the north-south drainage through the site delineated on the plat.
 - 1.1.3 No portion of any lot within the 100-year storm or that area subject to inundation by a dam breach.
 - 1.1.4 The dam spillway delineated on the plat.
 - 1.1.5 Turn-arounds with a minimum 30' radius at the ends of both Bo Creek Bay and Bo Creek Court.
 - 1.1.6 Utility easements required by the June 12, 2003 L.E.S. review.
 - 1.1.7 A signed surveyor's certificate.
 - 1.2 A revised grading and drainage plan approved by Public Works and Utilities including Watershed Management.
2. The City Council approves associated requests:
 - 2.1 Annexation #03004.

- 2.2 Change of Zone #3387.
- 2.3 Special Permit #1992.
- 2.4 An exception to the design standards to permit intersection approach grades in excess of design standards.
- 2.5 A modification to the requirements of the land subdivision ordinance to permit lot lines not radial to streets; double frontage lots; sidewalks; and block length.

General:

- 3. Final Plats will be scheduled on the Planning Commission agenda after:
 - 3.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
 - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 3.2.1 You must complete, or post a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, at your own expense, in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
 - 3.3 You must agree:
 - 3.3.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
 - 3.3.2 To complete the private improvements shown on the preliminary plat and Community Unit Plan.

- 3.3.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 3.3.4 To continuously and regularly maintain the street trees along the private roadways.
- 3.3.5 To submit to the lot buyers and home builders a copy of the soil analysis.
- 3.3.6 To pay all improvement costs except those costs the City Council specifically subsidizes as follows:
 - 3.3.6.1 The cost to oversize the water main in Ashbrook Drive from the 6" water main shown to a 12" water main.
 - 3.3.6.2 The cost to extend a water main in North Shore Drive from the east limit of this plat to West Shore Drive.
- 3.4 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 3.5 To protect the trees that are indicated to remain during construction and development.
- 3.6 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

Prepared by:

Brian Will, AICP
Planner
June 26, 2003

APPLICANT

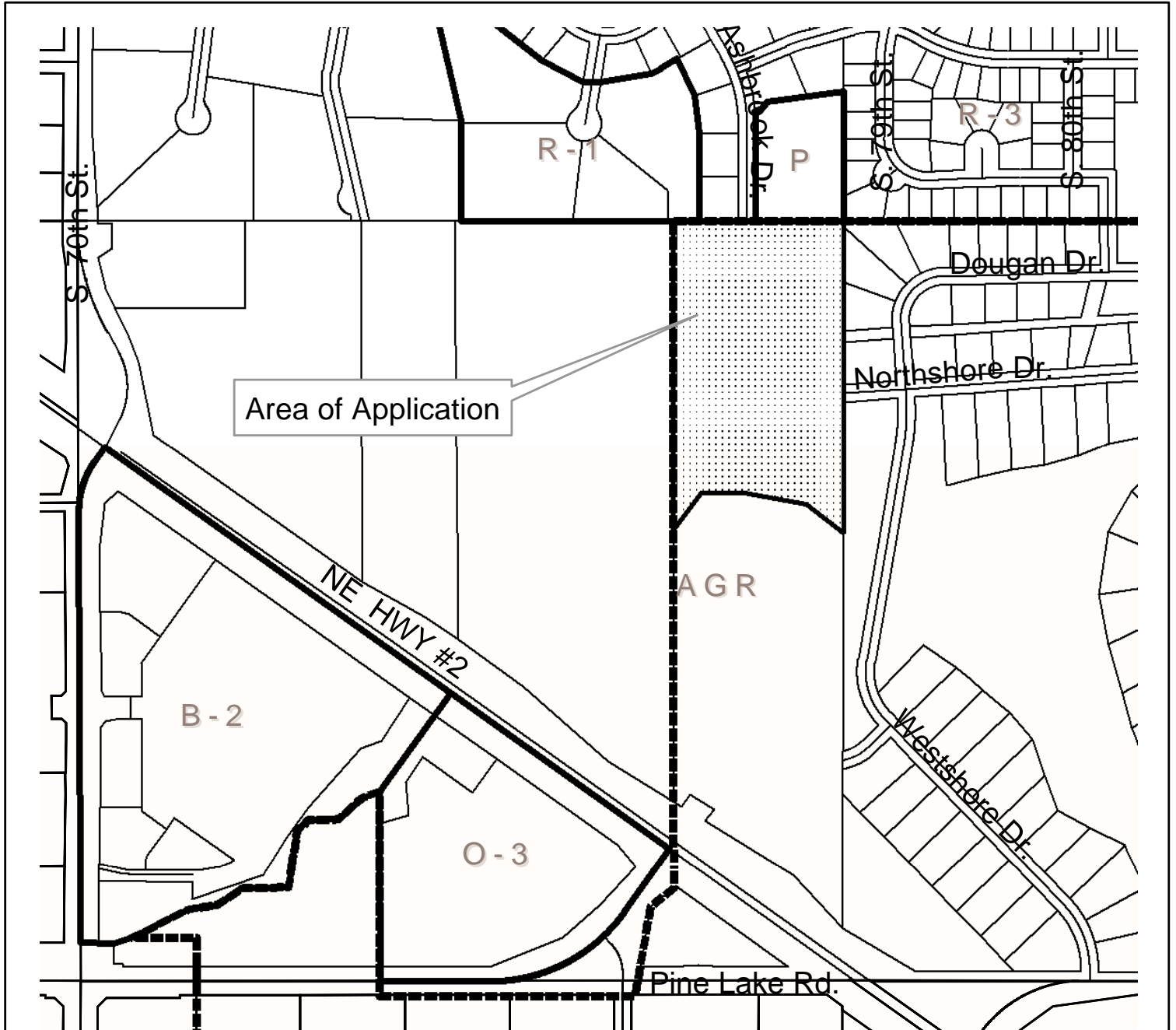
OWNER: Caseyco
c/o Pat Mooberry
225 North Cotner Blvd
Lincoln, NE 68505

CONTACT: Robert Dean
EDC
2200 Fletcher Avenue Suite 102
Lincoln, NE 68521



**Preliminary Plat #02023
 Change of Zone #3387
 Special Permit #1992
 Edenton Woods
 Ashbrook Dr. & Northshore Dr.**

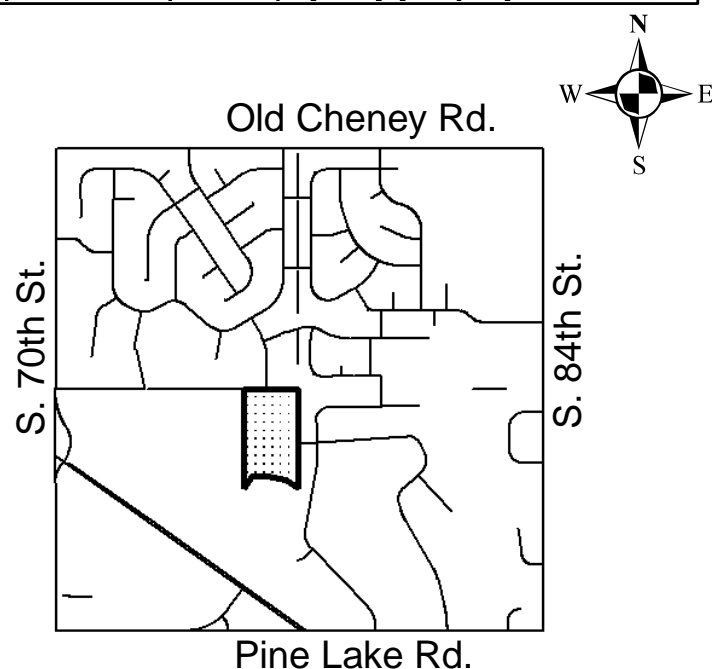
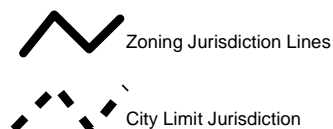




**Preliminary Plat #02023
Change of Zone #3387
Special Permit #1992
Edenton Woods
Ashbrook Dr. & Northshore Dr.
Zoning:**

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
R-C Residential Conservation District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 15 T9N R7E



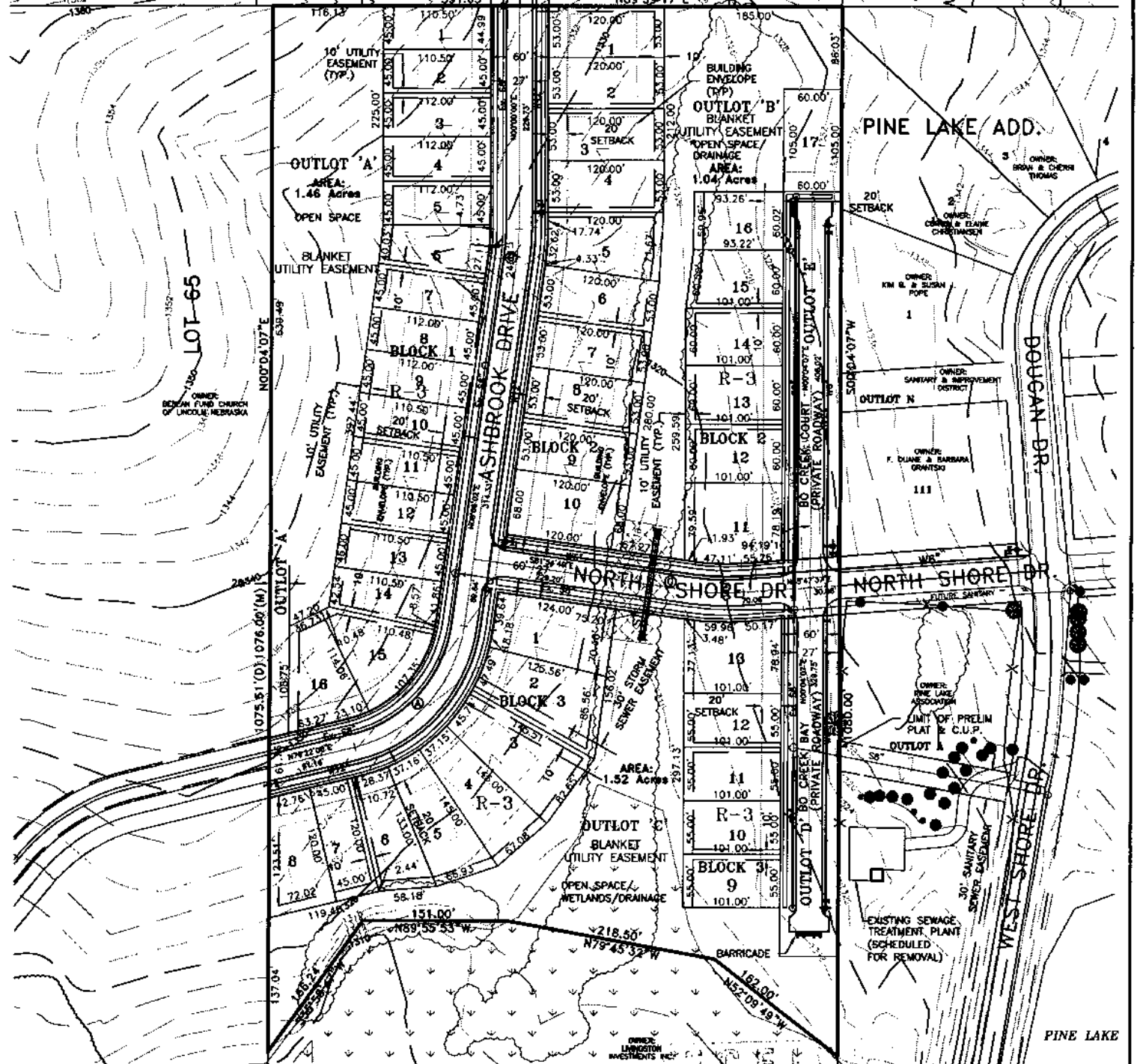
FEVENS RIDGE STATES
2ND ADD.

BLOCK 1
PARKERS LANDING

PARKERS LANDING

PINE LAKE ADD.

SCALE: 1"=150'



EDC

ENGINEERING & DESIGN CONSULTANTS

Edenton Woods
SITE PLAN
Lincoln, Nebraska

MAY 29 2003

Drawn By: RPO
Dwg.: Pp_site
Date: 5/28/03
Job#: 02-033

SHEET
1 OF 1

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT



SCALE: 1"=30'

OUTLOT 'B'

Proposed
Sanitary
Service

17

16

BO CREEK COURT

15

OUTLOT 'E'

Proposed
Water
Service

RECEIVED

MAY 29 2003

•EDC•

ENGINEERING & DESIGN CENTER

**Edenton Woods
DRIVEWAY & UTILITY SERVICE EXHIBIT
Lincoln, Nebraska**

Drawn By: RPO
Dwg.: Lot 17 Ex
Date: 05/28/03
Job#: 02-033

**SHEET
1 OF 1**

RY PLAT & C.U.P.

DEVELOPER

BLVD.

333

INDEX

1. COVER SHEET/ SITE PLAN
2. GRADING/ DRAINAGE PLAN
3. STREET PROFILES
4. LANDSCAPE PLAN

LEGAL DESCRIPTION

PRELIMINARY PLAT & C.U.P. BOUNDARY

LOT 76, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE FULLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE: S89°57'52"E, ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 2,064.27' TO THE POINT OF BEGINNING; THENCE: S89°57'52"E, A DISTANCE OF 591.63', THENCE: S00°06'58"W, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 15, A DISTANCE OF 1080.00', THENCE: N52°06'58"W, A DISTANCE OF 162.00', THENCE: N79°42'41"W, A DISTANCE OF 218.50', THENCE: N89°53'02"W, A DISTANCE OF 151.00', THENCE: S36°01'38"W, A DISTANCE OF 166.24', THENCE: N00°06'58"E, A DISTANCE OF 1076.00' TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE POINT OF BEGINNING, CONTAINING 47 LOTS, 5 OUTLOTS, AND A CALCULATED AREA OF 13.296 ACRES MORE OR LESS.

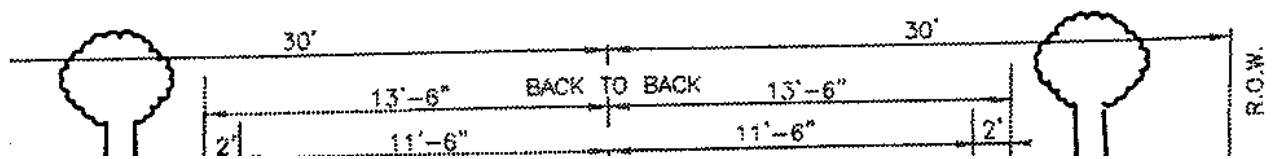
SURVEYORS' CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

DATE

R. RUSSELL ORR L.S. NO. 516

DLN
TION
ON



M e m o r a n d u m

To: Brian Will, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Edenton Woods Preliminary Plat and Special Permit
Date: 6/27/03
cc: Randy Hoskins

Engineering Services has reviewed the resubmitted Preliminary Plat and Special Permit, located north of Hwy #2 and west of the Pine Lake development, and has the following comments:

- The turnarounds in Bo Creek Court and Bo Creek Bay do not meet subdivision requirements. It appears that 30' radius turnarounds would fit at both ends. The plans should be revised to show 30' radius turnarounds. A barricaded dead-end for a permanent turnaround is unsatisfactory.
- The requested waiver for street approach platform is acceptable to Public Works.
- Watershed management needs to review and approve of the engineers comparison between this plat and the Beals Slough Master Plan.
- According to the culvert calculations shown on the plans, the 50yr and the 100yr storms will flood the lots north of North Shore Drive. Also, the water elevation at the outlet of the culvert shown indicates that lots south of North Shore Drive along the channel will also be flooded. Public Works recommends that the lots be raised or reduced in depth to eliminate the flooding of any lot for any storm less than or equal to the 100yr storm.
- The minimum opening elevations shown for Lots 2 & 3 Block 3 are well below the grades shown for the swale that is shown on the property line. Revisions to the grades or the minimum elevations need to be made to address this issue.
- The areas designated as tree removal do not match the proposed grading contours. It appears more trees will need to be removed according to the contours. The contours need to be revised or the tree removal hatch needs to be adjusted accordingly.

C:\Windows\TEMP\t.notesusr.city.ncsbjw\Edentonwds-memo.wpd

**PUBLIC WORKS AND
UTILITIES DEPARTMENT**



MEMORANDUM

Date: June 19, 2003

To: Brian Will
cc: Ben Higgins, Chad Blahak

From: Devin Biesecker

Subject: *Edenton Woods*

Below are Watershed Management's comments on the Edenton Woods preliminary plat. Comments are based on a four-sheet plan set and supplemental drainage calculations stamped May 29, 2003 by the Planning Department.

1. The breach analysis for Pine Lake Dam submitted with this preliminary plat shows a breach of the dam centered on the dam outlet. Water will initially flow over the dam at the location of the emergency spillway which is at the northern portion of the dam. If the dam breaches at this location it will most likely impact the lots adjacent to the emergency spillway. Documentation should be submitted stating how the location of the breach was chosen and why a breach analysis was not done assuming a breach near the emergency spillway.
2. Verify that the Pine Lake dam spillway will only flow with storm frequencies greater than 100 years. If the dam was originally designed to contain a 100 year storm show that the potential storage (average permanent pool elevation) is currently the same as the original plan. If the storage is less than the original plan and the spillway will flow with a storm frequency of under 100 years the lots adjacent to the flow from the spillway must be above the 100 year water surface elevation in the drainageway.
2. If excess storage capacity of the Willowbrook subdivision detention area is to be used by the Edenton Woods development an analysis of the outlet for the detention area must be done to compare pre-developed conditions to post-developed conditions. Changes in the water surface elevation of this detention area must be known to regulate future development of land surrounding the detention area.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Brian Will

DATE: June 11, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder
Doug Smith

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Edenton Woods
SP #1992 PP #02023
CZ #3387

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following items noted:

- Water and sanitary sewer to be provided by the City of Lincoln.
- If water wells exist on the property, they must be properly decommissioned or permitted.
- If onsite wastewater systems exist on the property, they must be properly abandoned.
- The proposed development is located within the Firethorn Wellhead Protection Area. Best management practices (BMP) should be utilized to decrease the risk of groundwater contamination. For example, being conscientious regarding the use of lawn chemicals/fertilizers and ensuring the proper the storage of chemicals and/or fuels.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

Richard J Furasek

To: Brian J Will/Notes@Notes

06/10/2003 02:30 PM

cc:

Subject: Edonton Woods

Upon reviewing special permit #1992, preliminary plat #02023, cz#3387, we find it acceptable from the perspective of our department. As we keep expanding, our resources are being thinned and response times will be greater.

Richard J. Furasek

Assistant Chief Operations

Lincoln Fire & Rescue

1801 Q Street

Lincoln Ne. 68508

Office 402-441-8354

Fax 402-441-8292

Memo



To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: June 3, 2003

Re: Edenton Woods SP# 1992 PP# 02023# CZ 3387

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Areas labeled as Outlots "A", "B", & "C", to be maintained by the developer and/or the future homeowners association. Please include this note on the landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



INTER-DEPARTMENT COMMUNICATION

DATE June 12, 2003

TO Brian Will, City Planning

FROM Sharon Theobald
(Ext. 7640)

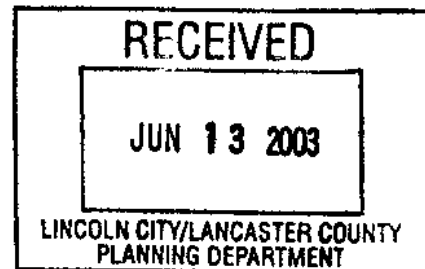
SUBJECT DEDICATED EASEMENTS
DN#65S-75E

Attached is the Preliminary Plat for Edenton Woods.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all the outlots.

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File

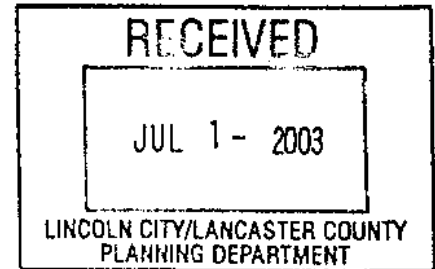
Lincoln



Nebraska's Capital City

June 26, 2003

Pat Mooberry
225 North Cotner Boulevard
Lincoln, Nebraska 68505



RE: Edenton Woods Preliminary Plat

Dear Pat:

The purpose of this letter is to follow up on our meeting of June 19, 2003 regarding the proposed preliminary plat for Edenton Woods. During this meeting we discussed addressing provisions for neighborhood parks and trails pursuant to the subdivision code.

Edenton Woods is subject to section 26.23.160 of the Land Subdivision code regarding dedication of land for neighborhood parks. Edenton Woods is location immediately south of Edenton South Park. This neighborhood park is approximately four acres in size, including the recent acquisition of one acre of land at the north end of the park in conjunction with negotiations regarding the Parkers Landing development. It is understood that Edenton South Park is less than the standard eight to twelve acre neighborhood park area anticipated within the recently adopted Comprehensive Plan. Existing residential development in the Pine Lake neighborhood, and configuration of the Parkers Landing development precluded acquisition of sufficient land to reach this standard.

As we discussed, there is not land area within the proposed Edenton Woods preliminary plat that is suitable as an addition to the existing Edenton South Park site. The site has been developed utilizing a master plan that envisioned the potential of adding additional land to the east side of the park. Addition of land to the south would not enhance recreational use of the park. Therefore, we agreed that development of lots within Edenton Woods will be subject to payment of the neighborhood park and trail impact fees in lieu of dedication of park land, as provided for in Section 26.23.160. These funds will be used to construct additional improvements in Edenton South Park, and to assist with funding construction of the Antelope Creek Trail located east of the subdivision.

Please note that the earlier letter from Ray Hill to Bob Dean dated May 23, 2003 indicated that the Parks and Recreation Department determined that park land within Edenton Woods should be dedicated to the City. Subsequent to this letter being prepared we re-evaluated the need for additional parkland and determined that collection of impact fees would be preferable for the reasons outlined above. I apologize for any confusion that this may have caused.

I appreciated the opportunity to meet with you to discuss providing neighborhood park and trail facilities in the vicinity of the proposed Edenton Woods Preliminary Plat. Please phone me at 441-8265 with questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Johnson".

Lynn Johnson, Parks and Recreation Director

Cc: Ray Hill, Planning ✓